United Nations CERD/C/SR.2645

International Convention on the Elimination of All Forms of Racial Discrimination

Distr.: General
8 August 2018

Original: English

Committee on the Elimination of Racial Discrimination
Ninety-sixth session

Summary record (partial)* of the 2645th meeting
Held at the Palais Wilson, Geneva, on Monday, 6 August 2018, at 10 a.m.

Chair: Mr. Amir

Contents

Opening of the session

Adoption of the agenda

* No summary record was prepared for the rest of the meeting.

This record is subject to correction. Corrections should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of the present record to the Documents Management Section (DMS-DCM@un.org).

Any corrected records of the public meetings of the Committee at this session will be reissued for technical reasons after the end of the session.

GE.18-13027 (E) 080818 080818

1813027

Please recycle

The meeting was called to order at 10.05 a.m.

Opening of the session

1. **The Chair** declared open the ninety-sixth session of the Committee on the Elimination of Racial Discrimination.

Opening statement by the representative of the United Nations High Commissioner for Human Rights

2. **Ms. Edelenbos** (Office of the United Nations High Commissioner for Human Rights), reporting on developments of interest to the Committee since its previous session, said that on 13 July 2018, the General Assembly had approved the final draft of the Global Compact for Safe, Orderly and Regular Migration; the text would be presented for adoption by Heads of State in Morocco in December 2018. The Global Compact was conceived as a framework to foster cooperation on migration based on international human rights law, including the Convention. Under its objective 17, States would commit to eliminating all forms of discrimination and condemn expressions, acts and manifestations of racism, racial discrimination, violence, xenophobia and related intolerance against migrants. They would also commit to penalizing hate crimes against migrants, to establishing mechanisms to prevent and respond to racial, ethnic and religious profiling of migrants and to engaging with political, religious and community leaders and with educators to identify and prevent incidents of intolerance, racism and xenophobia against migrants. The Global Compact envisaged as well the establishment of a capacity-building mechanism and a follow-up and review mechanism.

3. Also in July, the high-level political forum on sustainable development had held a meeting in New York on the theme "Transformation towards sustainable and resilient societies". The ministerial declaration adopted at that meeting emphasized that universal respect for human rights and human dignity, peace, justice, equality and non-discrimination was central to Member States' commitment to leave no one behind, that commitment including respect for race, ethnicity, cultural diversity and equal opportunity (E/HLSE/2018/1). The declaration also emphasized that high-quality, accessible, timely and reliable data were central to the implementation of the 2030 Agenda for Sustainable Development and that statistics should be disaggregated by race, ethnicity and migration status, among other characteristics. In 2019, the forum would focus on the theme "Empowering people and ensuring inclusiveness and equality".

4. At its thirty-eighth session, held from 18 June to 6 July 2018, the Human Rights Council had adopted resolution 38/19 on the incompatibility between democracy and racism. In that resolution, the Council had expressed deep concern about the rise of extremist political parties, movements and groups that sought to normalize racism, racial discrimination, xenophobia and related intolerance, particularly against migrants and refugees; and had decided to convene a high-level panel discussion, to be held before September 2019, to discuss the incompatibility between democracy and racism with a view to identifying challenges and good practices. The Office of the United Nations High Commissioner for Human Rights would inform the Committee about how treaty bodies might participate in that panel.

5. The Council had also held an interactive dialogue with the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, at which the Special Rapporteur had presented her thematic report on racial discrimination in the context of citizenship, nationality and migration status (A/HRC/38/52). In her report, the Special Rapporteur had underlined that combating racial discrimination in citizenship and immigration law, policies and practices required an intersectional approach and called on States to adopt measures to explicitly condemn and eliminate racist and xenophobic practices based on ethno-nationalism. She had also presented her report on combating the glorification of Nazism, neo-Nazism and other practices (A/HRC/38/53), in which she had recalled article 4 of the Convention and called upon States to prevent hate speech and incitement to violence, to withdraw support from political parties and organizations that engaged in neo-Nazi or other hate speech, to dismantle organizations that engaged in hate speech aimed at inciting violence and to take immediate measures to combat direct and

indirect manifestations of neo-Nazism affecting youth and children, including their recruitment to extremist groups.

6. On 23 July 2018, the International Court of Justice had indicated provisional measures in the case lodged by Qatar against the United Arab Emirates concerning the application of the Convention. The Court, deciding that it had prima facie jurisdiction, pursuant to article 22 of the Convention, to act on the request for interim measures, had indicated that the United Arab Emirates must ensure that families of Qatari origin were reunited, that Qatari students were given the opportunity to continue their studies in the United Arab Emirates and that affected persons had access to justice in the United Arab Emirates. The Court had also taken note of the communication submitted to the Committee by Qatar under article 11 of the Convention.

7. At their thirtieth annual meeting, held in New York from 28 May to 1 June 2018, the Chairs of the human rights treaty bodies had focused on the alignment of working methods and other areas of implementation of General Assembly resolution 68/268 and preparations for the review of the treaty body system in 2020. In the Chairs' meeting with Member States, they had discussed further harmonization of the treaty bodies' working methods and procedures; late reporting and non-reporting by States parties; engagement with civil society, including reprisals; geographical and gender balance in treaty body membership; and multilingualism.

8. With specific reference to the issue of engagement with civil society and reprisals, and recalling that the Committee had raised concerns with States parties in the past, she encouraged the Committee to give special attention to the work of human rights defenders during the twentieth anniversary year of the Declaration on Human Rights Defenders and urged the Committee to engage with other treaty bodies with a view to harmonizing approaches.

9. One outcome of the Chairs' annual meeting had been an agreement to propose the appointment of focal points in each of the treaty bodies with a view to developing a common position ahead of the 2020 review. The Chairs had also agreed to explore further alignment of the simplified reporting procedure at their meeting in 2019 and had endorsed possible elements for a common procedure for following up on concluding observations, decisions and views. Lastly, the Chairs had met with the Secretary-General, whose next report on treaty body strengthening would provide an opportunity to highlight the various challenges that treaty bodies faced, including the matter of resources.

10. **The Chair** said that he was grateful for the information provided about recent developments of interest to the Committee, especially the information relating to the inter-State communications that the Committee had unexpectedly received. He thanked the Office of the United Nations High Commissioner for Human Rights for its assistance in that regard, which had allowed the Committee to discharge its responsibilities in accordance with its regular procedures.

Adoption of the agenda

11. **The Chair** proposed that item 6 of the annotated provisional agenda (CERD/C/96/1) should be amended to read: "Consideration of communications under articles 11 and 14 of the Convention". He said he took it that the Committee wished to adopt the agenda as amended.

12. *The agenda, as amended, was adopted.*

The discussion covered in the summary record ended at 10.40 a.m.